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Counsel for Defendant Chart Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE PACIFIC FERTILITY CENTER
LITIGATION

Case No. 3:18-cv-01586-JSC

**DECLARATION OF KEVIN M.
RINGEL IN SUPPORT OF
DEFENDANT CHART INC.'S
MOTION FOR SUMMARY
JUDGMENT**

Date: March 4, 2021
Time: 9:00 a.m.
Judge: Hon. Jacqueline Scott Corley
Place: Zoom

1 I, Kevin M. Ringel, declare as follows:

2 1. I am a partner at the law firm of Swanson, Martin & Bell, LLP, which is counsel
3 of record for Defendant Chart Inc. I am an attorney admitted to practice in the State of Illinois
4 and am admitted *pro hac vice* before this Court. I submit this declaration in support of Chart's
5 Motion for Summary Judgment (Motion). I have personal knowledge of the matters stated
6 herein.

7 2. Attached hereto as **Exhibit A** is a true and correct copy of Franklin Miller's
8 Expert Report dated November 20, 2020.

9 3. Attached hereto as **Exhibit B** is a true and correct copy of the transcript of the
10 October 9, 2019 deposition of Joseph Conaghan, taken in this action with the court reporter's
11 signed certification.

12 4. Attached hereto as **Exhibit C** is a true and correct copy of the transcript of the
13 November 13, 2020 deposition of Joseph Conaghan, taken in this action with the court reporter's
14 signed certification.

15 5. Attached hereto as **Exhibit D** is a true and correct copy of Anand Kasbekar's
16 Expert Report dated November 6, 2020.

17 6. Attached hereto as **Exhibit E** is a true and correct copy of the transcript of the
18 November 30, 2020 deposition of David Wininger, taken in this action with the court reporter's
19 signed certification.

20 7. Attached hereto as **Exhibit F** is a true and correct copy of David Wininger's
21 Expert Report dated November 6, 2020.

1 I declare under penalty of perjury under the laws of the United States that the foregoing
2 in true and correct, and that this declaration was executed this 22nd day of December, 2020, in
3 Chicago, Illinois.

4 By: /s/ Kevin Ringel
NAME